

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS**

**MXD GROUP, INC.,**

**Plaintiff,**

**v.**

**NEW LATITUDE MOVING COMPANY,  
LLC,**

**Defendant.**

**2:15-cv-2682**

**JUDGE SMITH**

**Magistrate Judge Deavers**

**AGREED ORDER TO  
MAINTAIN THE STATUS QUO**

This matter coming before the Court on Plaintiff, MXD Group, Inc.'s ("MXD") motion for a temporary restraining order and preliminary injunction, and the Court being advised by MXD and Defendant, New Latitude Moving Company, LLC ("New Latitude") that they desire to attempt to settle this matter and have agreed to maintain the status quo, it is hereby ordered that:

1. The parties shall abide by and honor and perform their respective obligations in the Distribution Center Agreement (the "Agreement") attached to the Complaint as Exhibit 1. This includes, without limitation, that: (a) New Latitude will not solicit or do business with Restoration Hardware, except through MXD pursuant to the Agreement, until the Court rules on MXD's request for a preliminary injunction; (b) MXD will honor its payment obligations under the Agreement; (c) the parties will cooperate in good faith to facilitate the orderly transition of the Restoration Hardware business to MXD's new service provider and (d) the parties will cooperate in good faith to facilitate the orderly return and processing of returns and cancelled orders .

2. Each party shall take reasonable measures to preserve evidence, including but not limited to electronically stored information, in its possession, custody, or control that it should reasonably anticipate to be subject to discovery in this case.

3. Either party may notify the court if settlement discussions break down and there is a need to schedule preliminary injunctive proceedings.

4. This matter shall be set for an initial status hearing.

**IT IS SO ORDERED.**

s/ George C. Smith  
**HONORABLE GEORGE C. SMITH**  
**UNITED STATES DISTRICT COURT JUDGE**

**APPROVED:**

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